

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SURESH NARRA, Individually,	)	
and ANURADHA NARRA,	)	
Individually,	)	
	)	
Plaintiffs,	)	4:06CV3289
	)	
v.	)	
	)	
UNITED STATES CITIZENSHIP AND	)	MEMORANDUM AND ORDER
IMMIGRATION SERVICES, Emilio	)	
T. Gonzalez, Director, and	)	
UNITED STATES ATTORNEY	)	
GENERAL, Alberto R. Gonzales,	)	
	)	
Defendants.	)	
	)	

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This action was filed by counsel for the plaintiffs on December 7, 2006. Summons were duly served on defendants, and currently there is pending a motion to dismiss. On April 13, 2007 a pleading was filed by plaintiff Suresh Narra titled, "Entry of Appearance by Pro Se Plaintiff." It states, "Plaintiff Suresh Narra hereby enters appearance as attorney of record for Plaintiffs Suresh Narra and Anuradha Narra. Daniel T. Huang and Vard R. Johnson are relieved as attorney [sic] of record and will no longer participate in this action." Filing 19. The pleading bears a certificate of service indicating it was served by mail on then counsel for the government, Christian Martinez. There is no indication it has been served on either of plaintiffs' counsel of record. No motion to withdraw has been filed by either of plaintiffs' counsel.

There are several problems here that must be addressed. First, Suresh Narra is not an attorney admitted to practice

before this court, and is not listed in the Nebraska State Bar Association Directory as having been admitted to practice law in Nebraska. In addition, both plaintiffs continue to be represented by counsel. Therefore, the "appearance" is not effective, and will be stricken.

If Suresh Narra is an attorney admitted to practice law in another state, he must file an application to appear in this court *pro hac vice* in order to represent anyone other than himself in this case. He has not done so.

If Suresh Narra is not an attorney, he may not represent co-plaintiff Anuradha Narra. While he may appear *pro se* and represent himself, he cannot represent the co-plaintiff, because to do so would be to engage in the unauthorized practice of law. Therefore, the brief filed by Suresh Narra in opposition to the pending motion to dismiss, filing 20, must be considered as filed only on behalf of Suresh Narra and not on behalf of Anuradha Narra.

The "appearance" does not indicate that any notice of it was given to plaintiffs' attorneys of record, Daniel T. Huang and Vard R. Johnson. They remain attorneys of record for plaintiffs, because they have not filed any motions to withdraw from such representation. If plaintiffs wish to discharge their attorneys, they must communicate that to the attorneys. If they do so, the attorneys would then become ethically bound to file motions to withdraw. Once such motions are filed and granted, then plaintiffs may represent themselves or obtain the services of other counsel. In the meantime, however, plaintiffs continue to be represented by Mr. Huang and Mr. Johnson.

For the above reasons,

IT THEREFORE HEREBY IS ORDERED:

1. The "Entry of Appearance by Pro Se Plaintiff," Filing 19, is stricken from the file.

2. Filing 20 shall be considered as filed only on behalf of Suresh Narra and not on behalf of Anuradha Narra.

3. The clerk shall send a copy of this memorandum and order to all counsel of record AND to the plaintiffs at the address provided on Filing 19.

DATED this 8<sup>th</sup> day of May, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge